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With Napkins and Doilies to match.

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INFIRMARY

Third Floor, Progress Block

HE TALKED OUT

Cluney no Friend to Fire Insurance.

The Norwalk Company Says the Re- doubtable Captain Has a Grudge Against It.

If all that the attorneys for the Norwalk Fire Insurance Company say can be proved, then the judgment for \$5,110 obtained against the company a few days ago by Arthur G. Mericourt may not be worth much. The company, in basing a motion for a new trial of the case, makes sensational allegations as to the conduct of a juror, Captain John Cluney, who the company asserts was prejudiced against it before even the case was heard.

Mericourt's house at Kalihi was burned down on November 8, 1898. He sued the Norwalk Fire Insurance Com-



CAPTAIN JOHN CLUNEY.

pany for \$5,250 for the damages to the dwelling and its contents. After a week's trial before a jury in the Circuit Court, presided over by Acting Judge Silliman, a verdict for \$5,110 was returned on March 17 last. Now comes the insurance company with a petition for a rehearing and alleges, besides many technical and legal reasons for a new trial, that Captain Cluney, who sat as a juror, told certain persons during the progress of the suit that insurance companies had a fashion of taking insurers' money and then refusing to pay losses. The captain's language was extremely sulphurous according to the affidavit of Captain W. L. Bowers, of the Merchants' Patrol, who, with J. A. Durrant, a carpenter, makes a sworn statement which is appended to the company's motion filed yesterday in the Circuit Court.

Captain Bowers' affidavit is as follows: "In the evening of the 14th of March, 1900, I was at the depot of the O. R. and L. Railway Company, in Honolulu, and there was present at that time Tom Mahoney, A. Durrant and Captain Cluney; the hour was I judge between 6 and 7 o'clock. There was also there a man and a woman sitting nearby and also the ticket agent came out, but I do not know whether he paid any attention to the conversation that followed. Captain Cluney said he was on the jury in that insurance case and that it was getting very tiresome; that he had been on the case for two days, and that the evidence on one side was not in yet and that the lawyers were trying to break the testimony of the Frenchman down by asking him what certain things cost and then referring to an inventory and asking him if he had not said that the cost was different when he made out that inventory."

"He then said that there had been a question asked the Frenchman two or three times and he (the Frenchman) replied, 'I answered that question once; do you think I lie; if so, I think you lie,' and at this Captain Cluney laughed heartily. He remarked then: 'Oh, to — with your — insurance companies!' Then he said, 'Those insurance companies will take your money — quick; they will take your money with their eyes wide open and will take it from year to year; but when they have a losing they want to fight and get out of paying it.' He then said, 'I think if they insure and take your money then they ought to pay.' The conversation then drifted into a general one on insurance, and soon after ended."

"The above is the substance of the conversation had at that time with Captain Cluney."

"W. L. BOWERS.
"Subscribed and sworn to before me this 24th day of March, 1900."
"N. FERNANDEZ.
"Notary Public, First Judicial Circuit."

J. Alvan Durrant's affidavit states that he is a carpenter and that he recalls a conversation at the railroad station about the time mentioned by Captain Bowers. Durrant further says: "A man I had not met previous to this joined us and began a conversation about a case in which he was a juror. He described the case as the case of a Frenchman who had been tending bar in Honolulu, against an insurance company for the loss of his house and furniture by fire. The juror's name, as it came up in conversation that night, was Captain Cluney."

"In discussing the case he stated that the evidence of one side was in, but that of the other side had not been taken. In the course of conversation he volunteered a statement concerning insurance cases, somewhat as follows: 'Insurance companies would take a man's money from year to year, but in case of fire that they would try to beat him out of it.'"

"He further discusses the evidence

stating that the Frenchman's house was well furnished and giving the amount of insurance on the house and the furniture as it appeared from the evidence."

OFF THE TRACK.

Pain's Trams Strike Bad Switches On Beretania Street.

The spectacle of witnessing several of Manager Pain's freshly painted arks wobbling about all sides of Beretania avenue yesterday morning, made spectators dizzy.

The gyrations of the cars as they bounded from rail to rail and from curb to curb, together with the excitement of those passengers unfortunate enough to have already paid their fare, was a sight seldom seen on the tramways system. Even the mules felt the excitement and dragged the cars along on their rocky course at rapid transit speed.

Bad switches in front of Drs. Wood and Day's offices caused the trouble. Cars toward Emma street were invariably thrown from the track and rarely regained the rails until the Central Union Church was reached. A prominent gentleman was on one car which broke all records for speed. After leaving the track, it swerved in toward the curbing, smashed into a large survey and scratched off the new paint on the car. The mules started toward Emma street, the car rocking like a boat among the billows. Several ladies were in the car and one or two of them attempted to jump out. The prominent citizen manfully held them in their seats and thus prevented any injuries. Finally at Emma street another street car was met and a smashing collision was the result. The rail-boards were bent in, but no other damage resulted.

Per Cyrus Wakefield

Direct from the Manufacturers.

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HANGING BRACKET
HALL CARRIAGE
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BICYCLE STUDENTS

All new designs.

CALL AND SEE THEM.

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OPPOSITE SPRECKELS' BANK.

New Season's TEAS

We beg to announce the arrival of fresh pure teas. As usual, we were the first to offer "This Season's" pickings, our agents made excellent selections and the high quality of the various grades has been strictly maintained.

No Revenue Duty.

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BOILER, SUGAR MILLS, COOLERS
BRASS AND LEAD CASTINGS.
And Machinery of every description
made to order. Particular attention
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The Instruments Used in
The Silent Barber Shop
Are Thoroughly Disinfected Before
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